

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LUMINATI NETWORKS LTD.

§

Plaintiff,

§

v.

§

BI SCIENCE, INC.,

§

Defendant.

§

§

Case No. 2:18-CV-00483-JRG

[REDACTED]

**NOTICE OF FEDERAL CIRCUIT DISTRICT COURT ORDER REGARDING
DEFENDANT'S MOTION TO STAY ENFORCEMENT**

Plaintiff Luminati Networks Ltd. respectfully notifies the Court and attaches hereto a copy of an August 6, 2021 order (Dkt. 58, Order, Exhibit A) issued by the United States Court of Appeals for the Federal Circuit ("Federal Circuit") in the appeal from this action (2020-2118) holding in abeyance its ruling on BI Science's July 26, 2021 motion to stay enforcement filed in the Federal Circuit pending this Court's decision on the BI Science's pending motion to stay enforcement (Dkt. 265). In the Order, the Federal Circuit indicated as follows:

BI Science has represented that because of the imminence of an enforcement action by an Israeli court, BI's business "will cease to exist" if execution of the judgment is not stayed before August 16, 2021. Mot. for Stay at 2. In light of that representation, we will reconsider that determination if by then the district court has not issued a decision on the stay application pending before it. We expect, however, that the district court will act on the application by that time.

Exhibit A at 2.

Bright Data files this notice to apprise the Court of the parallel motion before the Federal Circuit. Notably, BI Science has produced no reliable evidence in support of the allegation that it will cease to exist or indeed be damaged at all. [REDACTED]

[REDACTED] . Dkt. 254,

Exhibit A at ¶ 13. [REDACTED]

[REDACTED] Dkt. 82 at 12-13. [REDACTED]

[REDACTED]. Dkt. 175-2 at ¶ 2.

Additionally, [REDACTED]

[REDACTED] Dkt. 175 at 2-3; Dkt. 183 at 32:1-3.

[REDACTED] Dkt. 175-2 at ¶ 8.

[REDACTED] Dkt. 254, Exhibit A at ¶ 8. [REDACTED]

[REDACTED] Dkt. 183 at 32:1-3.

Dated: August 10, 2021

Respectfully submitted,

By: /s/ Robert Harkins
S. Calvin Capshaw
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
Capshaw DeRieux, LLP
114 E. Commerce Ave.

Gladewater, TX 75647
Telephone: 903-845-5770
ccapshaw@capshawlaw.com
ederieux@capshawlaw.com

Mark Mann
Blake Thompson
Mann | Tindel | Thompson
300 West Main
Henderson, TX 75652
mark@themannfirm.com
blake@themannfirm.com
Office 903-657-8540
Cell 903-658-0401
Marshall Office 903-472-4294
Tyler Office 903-596-0900
Waco Office 254-776-3336

Korula T. Cherian
Robert Harkins
RuyakCherian LLP
1936 University Ave, Ste. 350
Berkeley, CA 94704
sunnyc@ruyakcherian.com
bobh@ruyakcherian.com

Ronald Wielkopolski
RuyakCherian LLP
1901 L St. NW, Suite 700
Washington, DC 20036
ronw@ruyakcherian.com

*Attorneys for Plaintiff
Luminati Networks Ltd.*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 10th day of August 2021, with a copy of this document via email.

/s/ Robert Harkins

CERTIFICATE OF AUTHORIZATION TO FILE UNDER SEAL

I hereby certify that the foregoing document is being filed under seal pursuant to the Protective Order entered in this matter.

/s/ Robert Harkins